

Serial Number 09/128,721

CA Claim 42. The composite chemical barrier of claim 37, wherein a durability barrier layer has a thickness of about 1 mil to about 10 mils.

REMARKS

Status of the Claims

Upon entry of the Amendment filed March 19, 2001 and this amendment, Claims 1-31 and 33-42 will be pending. Claim 32 is cancelled. Claims 1 and 7 are amended. Claims 35-42 are added. Support for the newly added claims can be found throughout the original disclosure, specifically including pages 4, 6-10, and 18-21. No new matter is added by the above amendment.

Claims 1-9 and 11-29 stand rejected. Claim 10 stands objected to.

Examiner Interview Summary

Upon receipt of the Advisory Action mailed April 5, 2001, Applicant's representative consulted Examiner Guarriello for an interview. The outstanding issues were discussed including the Examiner's position that the amendment mailed March 19, 2001 contained new matter and the finality of a last rejection (mailed December 9, 2000).

The issue with respect to 35 U.S.C. § 112 are discussed below.

Serial Number 09/128,721

The time and consideration of the Examiner with respect to this application are appreciated.

Outstanding Issues under 35 U.S.C. § 112

The issues regarding the definiteness of the phrase "molecular weight" are discussed in detail in the Amendment filed March 19, 2001, the contents of which are incorporated herein by reference.

However, this issued is rendered mute by the above amendment. The molecular weight feature has been removed from Claim 1. Nonetheless, Claim 1 as submitted in the March 19, 2001 was confusing. Applicant wishes to clarify that that the stated range represented a molecular weight distribution (as originally claimed) rather than a specific molecular weight. In that regard, the issue was not the molecular weight (i.e. weight average, number average, etc.), but the narrow distribution range.

However, as stated above, this issue is rendered mute by the above amendment. Therefore, withdrawal of this rejection is respectfully requested.

Prior Art Issues

The only outstanding art rejection is a rejection of Claims 1-9, and 11-29 over Langley, U.S. Patent No. 4,833,010. This rejection is respectfully traversed. Reconsideration and withdrawal thereof are respectfully requested.

Serial Number 09/128,721

This rejection was discussed in detail in the Amendment mailed March 19, 2001, and not yet considered by the Examiner. That discussion is applicable to the claims of this Preliminary Amendment as well.

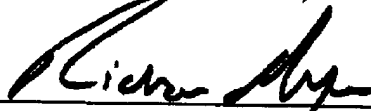
From the foregoing, further and favorable reconsideration in the form of a Notice of Allowance is requested and such action is earnestly solicited.

If the Examiner has any questions concerning this Amendment or the Application in general, he is respectfully urged to contact Richard S. Myers, Jr. (Reg. No. 42,022) at the number listed below.

The fee for the additional claims presented herein is \$224.00. Please charge said fee to Deposit Account No. 23-0035.

The Commissioner is authorized to charge any deficiency or credit any overpayment in connection with this Amendment to Deposit Account No. 23-0035.

Respectfully submitted,



Richard S. Myers, Jr.
Registration No. 42,022
WADDEY & PATTERSON
A Professional Corporation
414 Union Street, Suite 2020
Bank of America Plaza
Nashville, TN 37219

Attorneys for Applicant

Serial Number 09/128,721

Version With Markings to Show Claim Changes Made

Claim 1. (Three Times Amended) A composite chemical barrier fabric having improved durability comprising:

a multiple layer, chemical barrier material having a first side and a second side; and

a durability barrier layer coated on at least one of said first or second side comprising a thermoplastic polyolefin [with a weight average molecular weight in the range of from about 0.85 to about 0.95], the coated chemical barrier composite achieving at least 25% improvement in puncture resistance and at least 25% improvement in flex-crack resistance of the fabric when compared to a fabric not having said durability barrier layer.

Claim 7. (Amended) The composite chemical barrier fabric of Claim 1, wherein the fabric is configured into items of protective clothing selected from the group consisting of (including) suits, zippers, gloves, hoods, and shoe covers.